

201—47.2(904) Movement of offenders.

47.2(1) The judicial district departments of correctional services and the department of corrections shall utilize standardized placement criteria founded on the presumption that assignment will be made to the least restrictive and most cost-effective component of the continuum for the purposes of risk management, substance abuse treatment, education, and employment. The continuum is defined as consisting of three basic components, namely (1) incarceration until released by the board of parole or expiration of sentence, (2) short-term incarceration for approximately 21 days with subsequent transfer to a community corrections OWI residential program with differential levels of treatment and intervention, and (3) direct placement to a community corrections OWI residential program with differential levels of treatment and intervention. The criteria established to determine continuum assignment consists of the offender's previous criminal record, present charges and attitude toward treatment.

47.2(2) When there is insufficient bed space in the community-based correctional program to accommodate the offender, the court may order the offender to be released on personal recognizance or bond, released to the supervision of the judicial district department of correctional services, or held in jail.

47.2(3) Priority for placement in the treatment program will be based on the date of sentence unless an exception is made by the department of corrections or district department for special circumstances.

47.2(4) When the offender is sentenced to the director of the department of corrections and ordered to the supervision of the judicial district and space is not available in a community program, or supervision concerns arise, the district director or designee may request temporary placement at the Iowa Medical and Classification Center for classification and assignment. Final approval is granted by the regional deputy director or designee until space is available in the community program.

47.2(5) If medical conditions prohibit program participation and community resources, including University Hospitals, are not available to sufficiently meet offender needs, the offender may be assigned with the approval of the deputy director of offender services or designee to the Iowa Medical and Classification Center at Oakdale for treatment until the offender's health status permits placement into a community-based correctional program.

47.2(6) The transfer of offenders placed with the department of corrections to community facilities may be delayed by the department of corrections for security or medical reasons. Offenders with active detainers or offenders refusing to participate in the program may be transferred to an institution.

47.2(7) Offenders placed with the department of corrections shall be transferred in custody to their assigned facility unless an exception is approved by the department of corrections.

47.2(8) The district department shall comply with established policies and develop procedures for the temporary confinement of offenders who present a threat to the safety or security of the public, facility staff, or residents.

47.2(9) Offenders housed in community facilities may be transferred to the Iowa Medical and Classification Center on the recommendation of the district director or designee and with the approval of the regional deputy director or designee for reclassification and assignment to an institution. Transfer recommendations may be made for security, disciplinary, treatment, medical, or legal reasons.

47.2(10) The district department shall maintain a current contingency plan to ensure the continuation of programs or custody of offenders in the event of an emergency such as fire, tornado, chemical spill, or work stoppage.

47.2(11) Offenders who have been housed in a community facility for substance abuse treatment, subsequently granted parole or work release, and said parole or work release is revoked, may be returned to the OWI Continuum or returned to the classification center for reclassification and placement in an institution.